

Accessory Dwelling Units

Remand of Ordinances to
Implement SB 1051





Staff Recommendation: Retain in Land Use Code & Justify in Findings

No.	Topic	Staff's Initial Evaluation			
		Relates to Siting	Relates to Design	Basis for Regulation	Recommendation for Discussion
1	Maximum Lot Coverage	✓	✓	Addresses overcrowding concerns & desire for yard/open space	
2	Outdoor Living Area	✓	✓	Addresses overcrowding concerns & desire for yard/open space	
3	Building Size		✓	Demonstrates accessory nature	
4	Outdoor Storage/Trash		✓	Addresses livability	
5	Pedestrian Access		✓	Addresses accessibility	
6	Minimum Attachment		✓	Clarity as to what constitutes attached	
7	Prohibition on Alley Access Lots	✓		Addresses traffic and overcrowding concerns	



Staff Recommendation: City Council Input Needed

No.	Topic	Staff's Initial Evaluation			
		Relates to Siting	Relates to Design	Basis for Regulation	Recommendation for Discussion
1	Minimums Lot Size	✓		Addresses overcrowding concerns	
2	Maximum Density	✓		Addresses overcrowding concerns	
3	Lot Dimensions	✓		Addresses overcrowding concerns	
4	Parking Requirement	✓		Addresses traffic concerns	
5	Alley Access Parking/Driveway	✓		Addresses traffic concerns	
6	Building Height/Sloped Setback		✓	Demonstrates accessory nature/addresses livability	



Minimum Lot Size

No.	Topic	Summary of Requirement and Applicability	Eugene Code (EC) Section(s)	Staff's Initial Evaluation			
				Relates to Siting	Relates to Design	Basis for Regulation	Recommendation for Discussion
1	Minimums Lot Size	Minimum lot size required for a secondary dwelling unit (SDU): <i>University Area:</i> 7,500 square feet <i>Flag Lots:</i> 12,500 square feet <i>All Other Lots:</i> 6,100 square feet	9.2571(17)(c)1. 9.2775(4)(b) 9.2751(17)(a)1.	✓		Addresses overcrowding concerns	

Options:

- ☐ Retain in Land Use Code and justify how it's a "reasonable standard relating to siting and design"
- ☐ Remove from Land Use Code



Density

No.	Topic	Summary of Requirement and Applicability	Eugene Code (EC) Section(s)	Staff's Initial Evaluation			
				Relates to Siting	Relates to Design	Basis for Regulation	Recommendation for Discussion
2	Maximum Density	<i>All Lots:</i> Minimum and Maximum net density per acre is as follows: R-1: No minimum to 14 units R-2: 13 to 28 units R-3: 20 to 56 units R-4: 20 to 112 units	Table 9.2740 Table 9.2750	✓		Addresses overcrowding concerns	

Options:

- ☐ Retain in Land Use Code and justify how it's a “reasonable standard relating to siting and design”
- ☐ Remove from Land Use Code



Lot Dimensions

No.	Topic	Summary of Requirement and Applicability	Eugene Code (EC) Section(s)	Staff's Initial Evaluation			
				Relates to Siting	Relates to Design	Basis for Regulation	Recommendation for Discussion
3	Lot Dimensions	<i>University Area:</i> To allow for an SDU, requires that the boundaries of the lot be sufficient to fully encompass an area with minimum dimensions of 45 feet by 45 feet.	9.2571(17)(c)2.	✓		Addresses overcrowding concern	

Options:

- ☐ Retain in Land Use Code and justify how it's a "reasonable standard relating to siting and design"
- ☐ Remove from Land Use Code



Parking Requirement

No.	Topic	Summary of Requirement and Applicability	Eugene Code (EC) Section(s)	Staff's Initial Evaluation			
				Relates to Siting	Relates to Design	Basis for Regulation	Recommendation for Discussion
4	Parking Requirement	<i>University Area:</i> Limits the primary dwelling to a minimum of one and a maximum of two parking spaces on the lot and requires one additional parking space on the lot for the SDU. <i>All Other Lots:</i> Requires one additional space for the SDU.	9.2751(17)(c)15. Table 9.6410	✓		Addresses traffic concerns	

Options:

- ☐ Retain in Land Use Code and justify how it's a "reasonable standard relating to siting and design"
- ☐ Remove from Land Use Code



Alley Access Parking/Driveway

No.	Topic	Summary of Requirement and Applicability	Eugene Code (EC) Section(s)	Staff's Initial Evaluation			
				Relates to Siting	Relates to Design	Basis for Regulation	Recommendation for Discussion
				Relates to Siting	Relates to Design	Basis for Regulation	Recommendation for Discussion
5	Alley Access Parking/Driveway	<i>University Area:</i> Where primary vehicle access for the required parking for the SDU is from an alley, additional standards apply: <ul style="list-style-type: none">• One covered or enclosed parking space is allowed.• Maximum dimensions for a garage and garage door• Minimum setback setbacks• Maximum driveway width• Maximum dimensions for parking spaces• Limitation on location of parking• Vehicle use area limitations• No parking outside of the vehicle use area.	9.2751(17)(c)16. 9.2751(18)(a)11.	✓		Addresses traffic concerns	

Options:

- ☐ Retain in Land Use Code and justify how it's a "reasonable standard relating to siting and design"
- ☐ Remove from Land Use Code



Building Height/Sloped Setback

No.	Topic	Summary of Requirement and Applicability	Eugene Code (EC) Section(s)	Staff's Initial Evaluation			
				Relates to Siting	Relates to Design	Basis for Regulation	Recommendation for Discussion
6	Building Height/Sloped Setback	University Area Flag Lots All Other Lots	9.2751(17)(c)9. 9.2775(5)3. 9.2751(17)(a)3. 9.2751(17)(b)5.		✓	Demonstrates accessory nature/address es livability	

Options:

- ☐ Retain in Land Use Code and justify how it's a “reasonable standard relating to siting and design”
- ☐ Remove from Land Use Code



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		Relates to Siting	Relates to Design	Basis for Regulation	Recommendation for Discussion
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Staff Recommendation: Remove from Land Use Code

No.	Topic	Staff's Initial Evaluation			
		Relates to Siting	Relates to Design	Basis for Regulation	Recommendation for Discussion
1	Prohibition on New Flag Lots	✓		Addresses overcrowding concerns	
2	Vehicle Use Area	✓		Desire for yards/open space	
3	Owner/Occupancy Requirement	✓		Demonstrate accessory nature/landlord accountability	
4	Maximum Bedroom		✓	Demonstrates accessory nature/addresses overcrowding concerns	
5	Maximum Occupancy	For Council Discussion			
6	Dog Keeping	For Council Discussion			



Prohibition on New Flag Lots

No.	Topic	Summary of Requirement and Applicability	Eugene Code (EC) Section(s)	Staff's Initial Evaluation			
				Relates to Siting	Relates to Design	Basis for Regulation	Recommendation for Discussion
1	Prohibition on New Flag Lots	All Lots: SDUs are not allowed on flag lots that did not exist or were not approved prior to August 29, 2014.	9.2775(4)	✓		Addresses overcrowding concerns	

Options:

- ☐ Remove from Land Use Code
- ☐ Retain in Land Use Code and justify how it's a "reasonable standard relating to siting and design"



Vehicle Use Area

No.	Topic	Summary of Requirement and Applicability	Eugene Code (EC) Section(s)	Staff's Initial Evaluation			
				Relates to Siting	Relates to Design	Basis for Regulation	Recommendation for Discussion
2	Vehicle Use Area	<i>University Area:</i> Limits the maximum area covered by paved and unpaved vehicle use areas including but not limited to driveways, on-site parking and turnarounds, to 20 percent of the total lot area.	9.2751(17)(c)4.	✓		Desire for yards/open space	

Options:

- ☐ Remove from Land Use Code
- ☐ Retain in Land Use Code and justify how it's a "reasonable standard relating to siting and design"



Owner/Occupancy Requirement

No.	Topic	Summary of Requirement and Applicability	Eugene Code (EC) Section(s)	Staff's Initial Evaluation			
				Relates to Siting	Relates to Design	Basis for Regulation	Recommendation for Discussion
3	Owner/Occupancy Requirement	<i>All Lots:</i> Requires that either the SDU or the primary dwelling be occupied by the owner of the property. Includes requirement for deed restriction and verification, and allowance for temporary one-year leave.	9.0500 9.2751(17)(a)7. - 10. 9.2751(17)(c)11. - 14.	✓		Demonstrate accessory nature/landlord accountability	

Options:

- ☐ Remove from Land Use Code
- ☐ Retain in Land Use Code and justify how it's a "reasonable standard relating to siting and design"



Maximum Bedroom Limitation

No.	Topic	Summary of Requirement and Applicability	Eugene Code (EC) Section(s)	Staff's Initial Evaluation			
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4	Maximum Bedroom	<i>University Area:</i> For lots with a primary dwelling containing 3 or fewer bedrooms, the SDU is limited to 2 bedrooms. For lots with a primary dwelling containing 4 or more bedrooms, the SDU is limited to 1 bedroom. <i>All Other Lots:</i> Limits the SDU to no more than 2 bedrooms.	9.2751(17)(c)7. 9.2751(17)(a)5.		✓	Demonstrates accessory nature/addresses overcrowding concerns	

Options:

- ☐ Remove from Land Use Code
- ☐ Retain in Land Use Code and justify how it's a "reasonable standard relating to siting and design"



Maximum Occupancy

No.	Topic	Summary of Requirement and Applicability	Eugene Code (EC) Section(s)	Staff's Initial Evaluation			
				Relates to Siting	Relates to Design	Basis for Regulation	Recommendation for Discussion
5	Maximum Occupancy	<i>University Area:</i> For lots with a primary dwelling containing 3 or fewer bedrooms, limits the SDU to 3 occupants. For lots with a primary dwelling containing 4 or more bedrooms, limits the SDU to 2 occupants.	9.2751(17)(c)8.	For Council Discussion			

Options:

- ☐ Remove from Land Use Code
- ☐ Retain in Land Use Code and justify how it's a "reasonable standard relating to siting and design"



Dog Keeping

No.	Topic	Summary of Requirement and Applicability	Eugene Code (EC) Section(s)	Staff's Initial Evaluation			
				Relates to Siting	Relates to Design	Basis for Regulation	Recommendation for Discussion
6	Dog Keeping	<i>All Lots:</i> Limits properties with an SDU to no more than 3 dogs on the lot.	9.2751(17)(a)6. 9.2751(17)(c)10.	For Council Discussion			

Options:

- ☐ Remove from Land Use Code
- ☐ Retain in Land Use Code and justify how it's a "reasonable standard relating to siting and design"



Staff Recommendation: Remove from Land Use Code

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